

RECEIVED

JUL 11 2002

RCE/600
SCOPY OF PAPERS
ORIGINALLY FILED

TECH CENTER 1600/2900

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995

Application Number	09/405,499
Filing Date	September 23, 1999
First Named Inventor	Michael S. O'Reilly et al.
Group Art Unit	1642
Examiner Name	Huff, Sheela Jitendra
Attorney Docket Number	05213-0640 (43170-219680)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may file a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other
- b. Enclosed
 - i. Response to Office Action
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Two Month Extension of Time

14
(C)
7/6-22

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. Check in the amount of \$570.00 is enclosed for the following fees:
 - i. \$370.00 - RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
 - ii. \$200.00 - Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 11-0855

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Type Name	Jamie L. Greene	Reg. No. 32,467
Signature		Date July 1, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Type Name	Jamie L. Greene, Reg. No. 32,467	
Signature		Date July 1, 2002

07/09/2002 TTRAN1 00000024 09405499

01 FC:279

370.00 OP



COPY OF PAPERS
ORIGINALLY FILED

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michael S. O'Reilly et al.)
Serial No.: 09/405,499) Art Unit: 1642
Filed: September 23, 1999) Examiner: Huff, Sheela Jitendra
For: ENDOSTATIN PROTEIN)
AND FRAGMENTS THEREOF)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Box RCE
Washington, D. C. 20231

Sir:

Applicants respectfully file this Request for Continued Examination pursuant to 37 C.F.R. § 1.114. Enclosed is a Petition for Extension of Time under 37 C.F.R. § 1.136 for a two-month extension of time to file the response to the Final Office Action mailed February 1, 2002, a five-month anniversary of which is July 1, 2002. A check in the amount of \$570.00, to cover the payment of fees pursuant to 37 C.F.R. § 1.17(e) and the fee for the two-month extension of time to expire on July 1, 2002 is enclosed. In response to the Final Office Action mailed February 1, 2002, applicants respectfully request reconsideration of the rejected claims based upon the following remarks.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231, on July 1, 2002.

Jamie L. Greene - Reg. No. 32,467

RECEIVED

JUL 11 2002

TECH CENTER 1600/2900

15
K
7/16/02